



XA-7889B Re
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kenji NISHI

Appln. No.: 09/779,686

Group Art Unit: 2851

Filed: February 9, 2001

For: PROJECTION EXPOSURE APPARATUS

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DECLARATION IN SUPPORT OF REISSUE APPLICATION

I, Kenji Nishi, hereby make the following declaration:

- 1) I am a citizen of Japan residing at Kawasaki, Japan.
- 2) I verily believe that I am the original, first, and sole inventor of the invention described and claimed in United States Letters Patent No. 5,477,304, and the specification and claims of this reissue application.
- 3) I have reviewed and understand the contents of the specification and claims of said application.
- 4) I acknowledge the duty to disclose information that I am aware of which is material to the examination of said application, in accordance with 37 C.F.R. § 1.56.
- 5) I hereby claim foreign priority benefits under Title 35, U.S.C. § 119 with respect to Japanese Patent

✓
Applications 4-284371 filed October 22, 1992, and 4-289985 ✓
filed October 28, 1992, the priority of which was also
claimed in my original application for patent.

6) I verily believe said Letters Patent to be partly inoperative by reason of my having claimed less than I had a right to claim in said Letters Patent. For example, except for original Claims 30-33, all of the original claims recite an apparatus, whereas the claims now presented are all method claims. Although Claims 30-33 recite a method, the method steps include irradiating a mask, synchronously scanning the mask and a plate, detecting a deviation between an ideal positional relation and an actual positional relation of the mask and the plate at a term of a scanning exposure, and correcting a position of the mask. These recitations differ substantially from the steps of the method claims now presented. For instance, Claim 35 recites, inter alia, effecting an exposure and after finishing the exposure moving a second object in a direction intersecting with a predetermined direction while moving the second object in the predetermined direction. The claim does not recite the detecting and correcting steps of original Claim 30, for example.

7) The failure to present in my original application, claims that are broader in certain respects than claims of

said Letters Patent, as shown by the foregoing example,
render said Letters Patent partly inoperative and
constitutes errors.

8) All errors being corrected in this reissue
application up to the time of the filing of this Declaration
arose without any deceptive intention on my part or on the
part of Nikon Corporation, the Assignee of said Letters
Patent.

The undersigned declares further that all statements
made herein of his own knowledge are true and that all
statements made on information and belief are believed to be
true; and further that these statements were made with the
knowledge that willful false statements and the like so made
are punishable by fine or imprisonment, or both, under
Section 1001 of Title 18 of the United States Code and that
such willful false statements may jeopardize the validity of
the application or any patent issuing thereon.

May. 7. 2001
Date

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